

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 23-04835-SPG(JCx)

Date September 29, 2023

Title Michael M. Kimbrel v. LVN Funding LLC et al

Present: The Honorable **SHERILYN PEACE GARNETT**
UNITED STATES DISTRICT JUDGE

Patricia Gomez

Not Reported

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Not Present

Attorneys Present for Defendants:

Not Present

Proceeding: (IN CHAMBERS) ORDER

Plaintiff(s) are **ORDERED** to show cause why this case should not be dismissed for lack of prosecution. *Link v. Wabash R. Co.*, 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion).

The below time period(s) has not been met. Accordingly, the Court, on its own motion, orders Plaintiff(s) to show cause, in writing, **on or before October 13, 2023**, why this action should not be dismissed for lack of prosecution. This matter will stand submitted upon the filing of Plaintiff(s) response. *See* Fed. R. Civ. P. 78. Failure to respond will be deemed consent to the dismissal of the action.

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a Defendant within 90 days after the complaint is filed. Plaintiff(s) have failed to file a proof of service within 90 days of the filing of the Complaint on the following Defendant(s):

- **LVN Funding LLC**
- **American Credit Acceptance**
- **Goldman Sachs Bank USA**
- **The Bank of Missouri**

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Plaintiff(s) can satisfy this order by showing that service was effectuated within the 90 day deadline or by showing good cause for the failure to do so. Fed. R. Civ. P. 4(m).

IT IS SO ORDERED.

Initials of Preparer pg
